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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/218,783	12/22/1998	PEGGY M. STUMER	98-P-7977-US	2633
7590 05/16/2008 SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPARTMENT 186 WOOD AVENUE SOUTH ISELIN, NJ 08830			EXAMINER ADDY, THUAN KNOWLIN	
			ART UNIT	PAPER NUMBER
			2614	
			MAIL DATE	DELIVERY MODE
			05/16/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/218,783

**Applicant(s)**

STUMER ET AL.

**Examiner**

THJUAN K. ADDY

**Art Unit**

2614

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C2)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on March 05, 2008 has been entered. Claims 1, 3, 8, 9, 11, 12, 14-18, 20, 22-24, and 27 have been amended. No claims have been cancelled. No claims have been added. Claims 1-27 are still pending in this application, with claims 1, 9, 12, 15, 22, and 27 being independent.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferguson et al. (US 5,579,380).
3. In regards to claims 1, 9, 12, 15, 16, 17, 18, 21, 22, 23, 24, and 27, Ferguson discloses a group pickup system and method in a communication network (See Fig. 2 and col. 1 lines 7-11) having one or more servers (See Fig. 2 and hunting simulator (HS) 16), said group pickup system comprising: one or more call group locations (See Fig. 2 and central office (CO) 10) associated with different ones of said one or more servers, each of said one or more servers including call group lists of members (e.g., subscribers) for each call group, said each cal group having listed members from said

one or more call group locations; an invite request unit to invoke the group pickup system; a group pickup request unit responsive to said invite request unit to establish a connection to any of a plurality of group pickup destinations to enable a call to a called station to be picked up from any group pickup destination, said destination being manually and automatically selectable, said destinations being automatically serially (e.g., sequentially) selected responsive to one of an alerting listed group member location (See col. 1 lines 48-59 and col. 4 lines 11-18) and manually selected responsive to a responding listed group member location; and a retrieval request unit to connect a selected call pickup station with said call to said called station (See col. 2 lines 36-41, col. 2 lines 51-60, and col. 5 lines 1-10).

4. In regards to claims 2, 10, 13, and 25, Ferguson discloses the system and method, further including an exception handler adapted to handle failures (e.g., busy signals) in the group pickup system (See col. 3 lines 19-26 and col. 4 lines 30-41).

5. In regards to claims 3, 11, 14, and 26, Ferguson discloses the system and method, wherein said one or more servers is a plurality of servers, ones of said plurality being capable of controlling call service functions on others of said plurality of servers, and wherein a call pickup party may be located on any server within the network and picking up a call at a destination associated with another server in the network (See col. 2-3 lines 64-18 and col. 3 lines 40-56).

6. In regards to claim 4, Ferguson discloses the system, wherein each server micro-controls pickup functions for resident group members and responds to group pickup

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request and status notification from other ones of said one or more servers (See 2-3 lines 64-18 and col. 3 lines 40-56).

7. In regards to claim 5, Ferguson discloses the system, wherein said network failure may include excessive network congestion (e.g., busy) (See col. 3 lines 19-26 and col. 4 lines 30-41).

8. In regards to claim 6, Ferguson discloses the system, wherein said network failure may include a vacant number (e.g., available line) (See col. 3 lines 19-26 and col. 4 lines 30-41).

9. In regards to claim 7, Ferguson discloses the system, wherein said network failure may include no route to destination (See col. 3 lines 19-26 and col. 4 lines 30-41).

10. In regards to claims 8, 19, and 20, Ferguson discloses the system, wherein manually selecting comprises picking up said call at said destination and automatically serially selecting comprises sequentially contacting listed group members in a listed order for a corresponding group (See col. 1 lines 48-59 and col. 4 lines 11-18).

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/  
Primary Examiner, Art Unit 2614